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# BASS, BERRY & SIMS PLC

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OFFICE OF THE  
EXECUTIVE SECRETARY

June 27, 2002

## VIA HAND DELIVERY

Mr. K. David Waddell  
Executive Secretary  
Tennessee Regulatory Authority  
460 James Robertson Parkway  
Nashville, TN 37243

**Re: Complaint of Michael Van Wies against CenturyTel of Ooltewah-Collegedale, Inc., TRA Docket No. 02-00058.**

Dear Mr. Waddell:

Enclosed please find an original and 13 copies of a letter to Jonathan Wike submitted on behalf of CenturyTel of Ooltewah-Collegedale, Inc. for filing in the above-referenced docket. Also enclosed is an additional copy of the letter, which I would appreciate your stamping as "filed," and returning to me by way of our courier.

Should you have any questions with respect to this filing, please do not hesitate to contact me.

Very truly yours,



Ross I. Booher

RIB/cw

Enclosures

cc: Mr. Michael Van Wies  
Ms. Susan Smith

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June 27, 2002

**VIA HAND DELIVERY**

Mr. Jonathan Wike  
Hearing Officer  
Tennessee Regulatory Authority  
460 James Robertson Parkway  
Nashville, TN 37243

***Re: Complaint of Michael Van Wies against CenturyTel of Ooltewah-Collegedale, Inc., TRA Docket No. 02-00058.***

Dear Mr. Wike:

Today, CenturyTel served upon Mr. Van Wies ("Petitioner"), and contemporaneously filed with the Tennessee Regulatory Authority ("TRA"), two documents: a five page facsimile from BellSouth which further confirms that Petitioner's sole remaining claim is entirely without merit; and, a letter calling upon Petitioner to dismiss the claim.

CenturyTel requests that you take these latest filings into consideration when reaching your decisions regarding the relief sought in CenturyTel's motion to compel and motion to dismiss. Specifically, CenturyTel requests that you note the following facts:

- (1) CenturyTel's TRA Reports confirm that CenturyTel's call completion rates exceeded TRA standards during the time period the Petitioner alleges that CenturyTel's call completion rates were below TRA standards (Third Quarter 2001);
- (2) The information from BellSouth echoes CenturyTel's TRA Reports and further confirms that CenturyTel's call completion rates exceeded TRA standards during the time period the Petitioner alleges CenturyTel's call completion rates fell below TRA standards (Third Quarter 2001);

- (3) Out of CenturyTel's thousands of customers, no individual except the Petitioner has ever complained of, or even claimed, that CenturyTel experienced *any* call completion problems during the Third Quarter of 2001, much less problems significant enough to indicate that CenturyTel's call completion rate fell beneath TRA standards;
- (4) The Petitioner maintained 7 baseless claims against CenturyTel in this docket for nearly six months without ever producing a single iota of evidence to support them. Petitioner has recently dismissed those seven claims.
- (5) To date, the Petitioner has refused to cooperate in discovery and has refused to produce a scintilla of evidence in support of his final remaining claim, despite repeated requests from CenturyTel.

CenturyTel respectfully requests that you take this collective information into account as you consider the relief sought in CenturyTel's motion to compel and motion to dismiss, particularly our requests that financial sanctions be levied against the Petitioner and that the Petitioner's final, meritless claim be dismissed with prejudice.

Sincerely,



Ross I. Boohar

RIB/cw

cc: Mr. Michael Van Wies  
Ms. Susan Smith